

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

VARTA MICROBATTERY GMBH,

v.

GUANGDONG MIC-POWER NEW
ENERGY CO., LTD.

CASE NO. 2:21-cv-00036-JRG

**LEAD CASE
JURY TRIAL DEMANDED**

VARTA MICROBATTERY GMBH,

v.

PEAG, LLC d/b/a JLAB AUDIO

CASE NO. 2:21-cv-00038-JRG

**MEMBER CASE
JURY TRIAL DEMANDED**

**VARTA MICROBATTERY GMBH'S UNOPPOSED MOTION TO
REDACT PORTIONS OF PRETRIAL CONFERENCE TRANSCRIPT**

Plaintiff VARTA Microbattery GmbH ("VARTA"), pursuant to Federal Rule of Civil Procedure 5.2(e), respectfully moves for an order by this Court that limited redactions be made to portions of THE transcript of the Pre-Trial Conference held on April 26, 2022. Good cause supports this motion because certain portions of the transcript reveal confidential and proprietary financial and business information of VARTA, the Defendants, and/or third parties. For example, the transcript includes arguments and information regarding the terms of a confidential agreement between VARTA and third-party Samsung Electronics America at, for example, page and line numbers 60:23-25 and 64:13-65:11. The transcript also includes market share information of certain of VARTA's customers at, for example, 68:15-69:7 and 69:24-70:2. The transcript further reflects detailed information that underlies the damages assertions made in this case which in turn reveals confidential sales and pricing data of the parties at, for example, 72:5-73:9.

The requested redactions have been narrowly tailored to redact only the confidential and/or proprietary information of VARTA, the Defendants, or third parties that could have a negative competitive or economic impact on them. Furthermore, the redactions have been made to only those portions of the transcript of the Pretrial Conference during which the Court had sealed the courtroom to protect such confidential and/or proprietary information. Accordingly, it does not appear that the public has a significant interest in the information that VARTA requests be redacted or would otherwise be impacted by such redactions.

Accordingly, VARTA respectfully requests redaction of the following page and line numbers of the April 26, 2022 transcript of the Pretrial Conference:

Beginning Page : Line Number — Ending Page : Line Number
55:2-58:9
61:23-62:9
60:23-61:4
63:24-64:12
64:13-65:12
68:1-68:14
68:15-69:7
69:17-18
69:19-21
69:24-70:2
70:21-71:12
71:15-71:23
72:5-73:9
74:7-13
74:18-75:15
78:11-25
80:5-15
80:24-81:6

Date: May 25, 2022

Respectfully Submitted,

/s/ Andrew W. Stinson

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Certificate of Service

The undersigned certifies that on May 25, 2022, a true and correct copy of the foregoing document was served on all attorneys of record who have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Andrew W. Stinson

Andrew W. Stinson

Certificate of Conference

The undersigned hereby certifies that Counsel for Plaintiff conferred via electronic mail with Counsel for Defendants on May 25, 2022 regarding the foregoing motion and Defendants do not oppose the relief requested herein.

/s/ Andrew W. Stinson

Andrew W. Stinson